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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,457	03/26/2001	Yonggang Du	DE 000050	9422

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BRIARCLIFF MANOR, NY 10510

EXAMINER

WONG, BLANCHE

ART UNIT PAPER NUMBER

2667

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,457

Applicant(s)

DU ET AL.

Examiner

Blanche Wong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because: there isn't any descriptive labels. Examiner suggests Applicants to include descriptive labels with reference numbers for clarity.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the central station must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the method of time slot sorting as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

Specification

4. The abstract of the disclosure is objected to because 1. it provides incorrect information, and 2. there are miscellaneous characters.
 - Examiner suggests replacing – a second subset containing all transmitting terminals (of the group) that are not contained in the first group – with “a second subset containing all transmitting terminals (of the group) that are not contained in the first subset” in ln. 7-8.
 - Examiner suggests removing the dashes at the end of the abstract.

Correction is required. See MPEP § 608.01(b).

Claim Objections

5. Claims 1 and 5 are objected to because of the following informalities: confusing wording.

- With regard to cl. 1, ln. 2, Examiner suggests replacing – which network – with “said network”.
- With regard to cl. 5, ln. 13, Examiner suggests replacing – which first group – with “said first group”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 1-5** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- With regard to cl. 1, ln. 3-4, it is unclear what the clause “during a time multiplex frame” is referring to, whether the wireless network is receiving requests for wireless transmission of packets between transmitting and receiving terminals during a time multiplex frame, or whether the wireless

network assigns timeslots within a following time multiplex frame during a time multiplex frame before the following time multiplex frame.

- With regard to cl. 1, ln. 4-5, it is unclear what is “a following time multiplex frame” and whether it means the next time multiplex frame following a time multiplex frame.
- With regard to cl. 1, ln. 6, it is unclear what “includes the steps of”. Cl. 1 is a wireless network.
- With regard to cl. 1, ln. 14-16, it is unclear where belongs – in which the transmitting terminals of the first subset transmit --. The determination of an order is based on decreasing number of receiving terminals assigned to each transmitting terminal.
- With regard to cl. 1, ln. 17, it is unclear how to subdivide when there was no division.
- With regard to cl. 1, ln. 21, it is unclear whether – all other receiving terminals – means the receiving terminals that are not assigned, as oppose to the receiving terminals that are assigned to transmitting terminals in ln. 17 and ln. 19.
- With regard to cl. 1, ln. 26, it is unclear whether – first in time – means earlier in time.
- With regard to cl. 2, ln. 2-3, it is unclear what – wherein the central station determines the transmission order of the transmitting terminals of the second subset – is referring to because cl. 1 does not disclose a central

station that determines the transmission order of the transmitting terminals of the second subset.

- With regard to cl. 2, ln. 7-9, it is unclear what the clause – that the transmitting terminals of the second subset transmit either before or after the transmitting terminals of the first subset – is modifying, or whether this clause modifies – then selecting all of the transmitting terminals – in ln. 5-6.
- With regard to cl. 3, ln. 2-4, it is unclear what – wherein the central station divides the set of transmitting terminals of the second subset into the transmission order of the first subset – is referring to because cl. 1 does not disclose a central station that divides the set of transmitting terminals of the second subset into the transmission order of the first subset.
- With regard cl. 4, it is unclear what is after and whether there are two different after events. There are the limitations following -- after receiving requests for the wireless transmission of packets – in ln. 2-3, and the limitation following -- after reception of all requests – in ln. 6.
- With regard to cl. 4, ln. 25-26, it is unclear what the clause – as a transmitting terminal – is modifying, or what is meant by that.
- With regard to cl. 4, ln. 28, it is unclear whether – first in time – means earlier in time.
- With regard to cl. 5, ln. 4-5, it is unclear what is meant by – the determining delegates ... --.

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- With regard to cl. 5, ln. 6-7, it is unclear what is meant by – the determining delegates all transmitting terminals ... --.
- With regard to cl. 5, ln. 10, it is unclear what is meant by – in dependence upon --, or whether it means based upon.
- With regard to cl. 5, ln. 15, it is unclear how to subdivide the receiving terminals not assigned in the first subset to a second group, or whether it is meant “subdividing the receiving terminals not assigned in the first group to a second group”.
- With regard to cl. 5, it is unclear whether – first in time – means earlier in time.

8. There is insufficient antecedent basis for this limitation in the claim.

- Cl. 1 recites the limitation “the receiving order” in ln. 22.
- Cl. 2 recites the limitation “the central station” in ln. 2.
- Cl. 3 recites the limitation “the preceding time slot” in ln. 5 and ln. 7, and “the following time slot” in ln. 6 and ln. 7. No other time slot was mentioned in cl. 1.
- Cl. 4 recites the limitation “the receiving order” in ln. 24.
- Cl. 5 recites the limitation “the determining” in ln. 4 and ln. 6-7.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BW

BW
August 2, 2005



CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000

8/5/05